UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,725	07/31/2001	Antonio Cantoni	10699-003003	9380

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EXAMINER
HSU, ALPUS

ART UNIT	PAPER NUMBER
2665	22

DATE MAILED: 11/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary

Application No.	Applicant(s)
09/919,725	CANTONI ET AL.
Examiner	Art Unit	
Alpus H. Hsu	2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _5/12/03 & 6/4/03_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _15,17-23,25-40,45-52,57-59 and 64-67_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _15,17-23,25-40,45-52,57-59 and 64-67_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _20_ .
4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

1.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

2.   Claims 19, 20, 30-32, 34-38 are rejected under 35 U.S.C. 112, first paragraph, as failing

to comply with the written description requirement. The claim(s) contains subject matter which

was not described in the specification in such a way as to reasonably convey to one skilled in the

relevant art that the inventor(s), at the time the application was filed, had possession of the

claimed invention.

The claimed features of "providing the source identifier code to a comparator in response

to detection of said first code at said destination, and in response to detection of the second code

associated with a subsequently received slot providing the source identifier thereof to the

comparator to check for a match, and storing the message segment of the subsequently received

slot in said buffer in response to detection of a match" as in claim 19, "providing, to a

comparator, the source identifier code of the first slot received at the destination node, ,

providing to the comparator, the source identifier code of each subsequently received slot, and

storing the message segment of the subsequently received slot in the buffer in response to an

occurrence of a match between the source identifier code of the first slot and the source identifier

code of subsequent slots" as in claim 30, "outputting a reassembled message from the buffer in

response to detection of the third code" as in claim 31, "a selector for checking the third code

and for providing source identifier codes to the comparator for comparison with subsequently

received source identifier codes" as in claim 34, "the controller is configured to output a

reassembled message from the buffer in response to detection of a third code, the reassembled

message being associated with the source identifier code of the slot containing the detected third

code" as in claim 38, each was not described in the specification in such a way as to reasonably

convey to one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. To be more specific, according to the parent

application, now U.S. Patent No. 5,050,166, col. 10, lines 18-48, col. 11, lines 10-65, it is the DA

selector circuit 70 which **receives fixed length slots** 32 from an access unit 4, which **includes an**

SI comparator block 72 **which also receives the slots** 32 from the access unit 4 (col. 10, lines

18-21). The main function of the DA selector circuit 70 is to **check the destination address**

within the BOM and SSM segments copied from the slots 32 received by the access unit 4. If

the destination address **matches** that of the access unit then the DA selector circuit will initiate

the receipt and reassembly of the whole message (col. 10, lines 30-35). The DA selector circuit

70 first **check the type field 36 to see whether it is COM, EOM, BOM or SSM type of**

message. If the type is **COM or EOM** then the only action on the segment is to **store it**

temporarily. If the type is **BOM or SSM** then the DA selector circuit will **check the DA**

address field 22 within the data segment 32 for a match (col. 11, lines 16-38). For **COM**

and EOM segments, the decision to copy these into the buffer is made by SI_Comp circuit 72.

Each **sub-block 82 will compare the SI read from incoming slot via line 88 with its own SI.**

If no sub-block has a match for the incoming SI, then the segment is discarded. If there is a

match, the information segment 40 is passed from the temporary storage in the DA selector

circuit 84 via line 84 to the sub-block 82 (col. 11, lines 50-58). None of the subject matter in

each of claims 19, 20, 30-32, 34-38 was described corresponding to the specification disclosure

in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

3.   Claims 34-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 34, line 3, "the comparator", claim 38, line 1, "the controller" each lacks antecedent basis.

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 15, 17, 18, 21-23, 25-29, 33, 39, 40, 45-52, 57-59, 64-67 are rejected under 35 U.S.C. 102(b) as being anticipated by TEMPLE in Technical Report, entitled "The Design of A Ring Communication Network", University of Cambridge, January 1984, Pages 105-132.

By broadly interpreting the function code and channel number within each mini packet as the claimed type field and source identifier field within each fixed length slot, TEMPLE discloses a method and system for transmitting variable length message on a network from a source to a destination by segmenting variable length message into fixed length slots including the provision of source identifier field in the header of each slot including codes uniquely associated with the message to be transmitted, transmitting the fixed length slots on the network, reassembling the message according to the identifier codes in the slots (see page 107, line 7 to page 112, line 28) as in claims 15, 17, 18, 21-23, 25-29, 33, 39, 40, 45-52, 57-59, 64-67.

6.   Claims 19, 20, 30-32, 34-38 would be allowable if rewritten to overcome the rejection(s)

under 35 U.S.C. 112, first and second paragraphs, set forth in this Office action and to include all

of the limitations of the base claim and any intervening claims.

7.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

        Hullett et al. is additional cited to show the feature of physical implementation of

Segmentation machine and Re-assembly machine (SAR) in ring type network similar to the

claimed invention.

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Alpus H. Hsu whose telephone number is (703)305-4377. The

examiner can normally be reached on M-F (5:30-3:00) First Friday Off.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Huy D. Vu can be reached on (703)308-6602. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

        Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703)305-4700.

AHH

Alpus H. Hsu
Primary Examiner
Art Unit 2665